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असाधारण

EXTRAORDINARY

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PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पत्र पत्र संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## MINISTRY OF COMMERCE

### NOTIFICATION

*New Delhi, the 28th September 1968.*

**S.O. 3496.**—Whereas the Central Government is of opinion that in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), it is necessary or expedient to amend the notification of the Government of India in the Ministry of Commerce No. S.O. 2835 dated the 21st September, 1966 in the manner specified below for the development of the export trade of India, and has forwarded the proposals in that behalf to the Export Inspection Council, as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964;

Now, therefore, in pursuance of the said sub-rule, the Central Government hereby publishes the said proposals for the information of the public likely to be affected thereby.

2. Notice is hereby given that any person desiring to forward any objections or suggestions with respect to the said proposals may forward the same within thirty days of the date of publication of this notification to the Export Inspection Council, "World Trade Centre", 14/1-B, Ezra Street (7th floor), Calcutta-1.

#### *Proposals*

The notification of the Government of India in the Ministry of Commerce No. S.O. 2835 dated the 21st September, 1966 shall be amended as follows, namely:—

In the said notification—

(i) for sub-paragraph (2) of paragraph 1, the following sub-paragraph shall be substituted, namely:—

"(2) specifies the type of inspection in accordance with the draft Export of Safety Glass (Inspection) Rules, 1968, set out in the Annexure to this notification as the type of inspection which would be applied to such safety glass",

- (ii) for sub-paragraph (4) of paragraph 1, the following sub-paragraph shall be substituted, namely :—

“(4) prohibits the export, in the course of international trade, of such safety glass unless the same is either accompanied by a certificate issued by an Agency recognised by the Central Government under section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) or a mark recognised by the Central Government has been affixed or applied to such safety glass to the effect that the safety glass conforms to the recognised specification.”

#### ANNEXURE

#### *Draft Export of Safety Glass (Inspection) Amendment Rules, 1968*

In exercise of the powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) and in supersession of the notification of the Government of India in the Ministry of Commerce No. S.O. 3783 dated the 7th December, 1965, the Central Government hereby makes the following rules, namely :—

1. **Short title and commencement.**—(1) These rules may be called the Export of Safety Glass (Inspection) Rules, 1968.

(2) They shall come into force on the—

2. **Definitions.**—In these rules, unless the context otherwise requires—

(a) ‘Act’ means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963).

(b) ‘Agency’ means any one of the Export Inspection Agencies established by the Central Government at Calcutta, Bombay, Delhi, Madras and Cochin under section 7 of the Act.

(c) ‘safety glass’ means (a) toughened safety glass and (b) laminated safety glass with two glass sheets or more.

3. **Basis of inspection.**—Inspection of safety glass for export shall be carried out with a view to seeing that the safety glass conforms to the specification recognised by the Central Government under section 6 of the Act.

4. **Procedure of inspection.**—(1) An exporter intending to export safety glass shall give intimation in writing of his intention so to do to any one of the inspection agencies (hereinafter referred to as the Agency) recognised under section 7 of the Act, to enable it to carry out the inspection in accordance with rule 3.

(2) Every intimation under sub-rule (1) shall be given not less than seven days before the actual date of shipment.

(3) On receipt of the intimation under sub-rule (2), the Agency shall inspect the consignment of safety glass with a view to seeing that the same conforms to the specification recognised under section 6 of the Act.

(4) If after inspection, the Agency is satisfied that the consignment of safety glass to be exported, complies with the requirements of rule 3, it shall, within seven days of the receipt of intimation, issue a certificate to the exporter declaring the consignment as conforming to the recognised specifications.

5. **Procedure regarding affixation of recognised marks.**—The provisions of the Indian Standards Institution (Certification Marks) Act, 1952 (36 of 1952), the Indian Standards Institution (Certification Marks) Rules, 1955 and the Indian Standards Institution (Certification Marks) Regulations, 1955 shall so far as may be, apply to the procedure relating to the affixation of recognised mark on safety glass prior to export, denoting conformity to the standard specifications.

6. **Place of inspection.**—Every inspection under these rules shall be carried out either—

(a) at the premises of the manufacturer of such products, or

(b) at the premises at which the goods are offered by the exporter provided adequate facilities for the purpose exist therein.

7. **Inspection fee.**—A fee at the rate of 50 paise for every one hundred rupees of f.o.b. value of each such consignment shall be paid as inspection fee under these rules.

8. Appeal.—(1) Any person aggrieved by the refusal of the Agency to issue a certificate under sub-rule (4) of rule 4 may, within ten days of receipt of communication of such refusal by him, prefer an appeal to a panel of experts consisting of not less than three persons, appointed for the purpose by the Central Government.

(2) The quorum for the panel shall be three.

(3) The decision of the panel on such appeal shall be final.

[No. 60(58)Exp.Insp./68.]

A. C. BANERJEE, Jt. Secy.

